

PLEA MINUTE SHEET
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO (AT ALBUQUERQUE)

CR 21-1326 MV**UNITED STATES vs. Espinosa**

Before The Honorable Kirtan Khalsa, United States Magistrate Judge

Hearing Date:	1/31/2023	Time In and Out:	11:17-11:27; 11:47-12:31; 12:46-12:48		
Clerk:	E. Hernandez	Digital Recording:	ABQ-Hondo		
Defendant:	Epifanio Espinosa	Defendant's Counsel:	Wayne Baker and Joseph Shattuck		
AUSA:	Paul Spiers	Interpreter:	N/A	<input type="checkbox"/>	Sworn
				<input type="checkbox"/>	Waived

<input checked="" type="checkbox"/>	Defendant Sworn	<input type="checkbox"/>	First Appearance
<input checked="" type="checkbox"/>	Consent to proceed before a magistrate judge executed with full knowledge of meaning and effect.		
<input checked="" type="checkbox"/>	Deft acknowledges receipt of: Information		
<input checked="" type="checkbox"/>	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.		
<input checked="" type="checkbox"/>	Terms and conditions of proposed plea agreement explained.	<input checked="" type="checkbox"/>	Defendant indicates understanding of its terms.
<input checked="" type="checkbox"/>	Factual predicate to sustain the plea provided.		
<input checked="" type="checkbox"/>	Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.		
<input checked="" type="checkbox"/>	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).		
<input checked="" type="checkbox"/>	Deft questioned re time to consult with attorney and if satisfied with his or her representation.		
<input checked="" type="checkbox"/>	Court finds Deft fully understands charge(s) and the consequences of entering a guilty plea to that charge (or those charges).		
<input checked="" type="checkbox"/>	Deft pleads GUILTY to: Information		
<input checked="" type="checkbox"/>	Allocution by Deft on elements of charge(s).		
<input checked="" type="checkbox"/>	Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.		
<input checked="" type="checkbox"/>	Deft adjudged guilty.		
<input checked="" type="checkbox"/>	Acceptance of plea agreement deferred until final disposition hearing by district judge.		
<input checked="" type="checkbox"/>	Sentencing Date: to be notified		
<input type="checkbox"/>	Defendant to Remain in Custody		
<input checked="" type="checkbox"/>	Present conditions of release continued	<input type="checkbox"/>	Conditions changed to:
<input checked="" type="checkbox"/>	Penalty for failure to appear explained		
<input checked="" type="checkbox"/>	Presentence Report Ordered	<input type="checkbox"/>	Expedited (Type III)

Other Matters: government not seeking detention; defense counsel requests continued release; court finds exceptional circumstances to continue defendant on release; defense requests expedited PSR; expedited PSR not ordered but defense counsel advised to stop by probation following hearing to schedule the interview